MT LEGISLATIVE HISTORY

Chapter 176 1983

Bill (H) 763 S _____ Original bill & hist. ___C

H. Committee on Human Services

Hearing Date(s) Feb 17 ✓C
Feb 18 ✓C
_____ ___C
_____ ___C

Date Out Feb 18 ✓C

S. Committee on State Administration

Hearing Date(s) Mar 08 ✓C
_____ ___C
_____ ___C
_____ ___C

Date Out Mar 08 ✓C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

STATUS

HUMAN SERVICES COMMITTEE

48th Legislature

ll No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Da
IB 682	REQUIRING THE DEPT. HEALTH AND ENV. SCI. TO ESTABLISH A FEE FOR AN AMBULANCE LICENSE THAT IS COMMENSURATE WITH THE COST OF PROVIDING THE LICENSE	2- 8	Shontz	2-16 Rereferred		
IB 687	TO AMEND THE LAWS RELATING TO QUALIFICATIONS, APPLICATION, AND EXAMINATION FOR A LICENSE TO PRACTICE MEDICINE	2- 8	Menahan	2-18	DO PASS AS AMENDED	2-2
IB 699	TO GENERALLY REVISE AND CLARIFY THE LICENSING LAWS FOR DENTISTS AND DENTAL HYGIENISTS; ALLOWING MORE THAN ONE BOARD MEMBER TO ATTEND THE NATIONAL ASSN. MTGS; ET AL	2- 9	Winslow	2- 2/14	DO PASS AS AMENDED	2-
IB 708	TO ESTABLISH STATUTORY PROVISIONS RELATING TO THE LOW-INCOME ENERGY ASSISTANCE PROGRAM AND THE HOME WEATHERIZATION PROGRAM BE ADMINISTERED BY COMMUNITY NONPROFIT ENTITIES ET AL	2-10	Quilici	2-18	DO PASS AS AMENDED	2-
IB 721	TO CREATE A MONTANA HEALTH FACILITY AUTHORITY WITH POWER TO LEND MONEY TO HEALTH INSTITUTIONS TO CONSTRUCT OR RENOVATE HEALTH FACILITIES; AND EMPOWERING THE AUTHORITY TO ISSUE BONDS TO FIN. ITS PROJECTS	2-11	Wallin	2-14 To Select Com		
IB 763	TO EXCEPT LIVE-IN HOUSEPARENTS UNDER CONTRACT WITH THE STATE SCHOOL FOR THE DEAF AND BLIND FROM THE STATE EMPLOYEE CLASSIFICATION SYSTEM	2-14	Fabrega	2-17 7 p.m.	DO PASS	2-

rm CS-32

QUESTIONS:

REP. DOZIER: On page 3 of the bill, it refers to glandular medicine. Could you explain this term to me.
TIM BINDER: This would be the use of animal gland tissue digested to help rebuild the nonfunctioning gland in the human body.
REP. DOZIER: I have a problem with a naturopathic physician being allowed to sign birth and death certificates.

REP. SWIFT: Doesn't it require a physician's decision to pronounce an individual dead. The other people who are not qualified physicians, there is a question.

REP. SWIFT: How many accredited naturopathic schools are there in Montana.
ANSWER: None
REP. SWIFT: In the nation?
TIM BINDER: Two; one in Seattle and one in Portland.

REP. FARRIS: Beyond glandular, I am interested in botanical.
TIM BINDER: There are over 4,000 herbal mineral remedies that are available for us to use.

REP. BRAND: What are you going to do with a patient and it says "local"?
TIM BORDEN: Minor surgery would limit us to "not in a body cavity".
Additional written testimony is attached (EXHIBIT 12).
CHAIRMAN HART closed the hearing on HOUSE BILL 775.

HOUSE BILL 763

REP. FABREGA, sponsor. This bill would exempt houseparents at the Montana School of the Deaf and Blind from the state classification system. He said at the current time all the employees are excluded from the state classification pay plan. This bill would also exclude the "live-in" houseparents.

PROPONENTS:

BOB DEMING, School for Deaf and Blind, asked that HOUSE BILL 763 be given a do pass (EXHIBIT 13).

OPPONENTS: None

CHAIRMAN HART closed the hearing on HOUSE BILL 763.

HOUSE HUMAN SERVICES COMMITTEE

BILL HOUSE BILL 763 DATE 2-17-83

SPONSOR Rep. Fabrega

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPOSE
Bob Deming	GT. FALLS	School for Deaf & Blind	✓	
Bill Davis	GT. Falls	School for Deaf & Blind	✓	
[illegible]	[illegible]	[illegible]		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

FORM CS-33
1-83

STATE OF MONTANA

February 17, 1983

Four years ago the Montana Legislature appropriated funds for the construction of one forty-bed cottage to be located on the campus of the Montana School for the Deaf and the Blind. The Board of Examiners then selected the architectural firm of Davidson-Kuhr to design and manage the construction of this cottage.

Under the guidance of Davidson-Kuhr an in-depth and thorough design process was conducted which involved representation of our school administration, academic staff, residence staff and parents of our students. During the course of this design process it was determined that in meeting our objective to maintain a home-like environment for our students, they would benefit from the care of "live-in" houseparents. As a result this capability has been designed into the cottages.

The last legislature appropriated additional monies to construct a second cottage, a food service building and a Physical Recreation Complex. The second cottage has the same basic design as the first cottage with some minor modifications to accomodate the unique needs of the students who will be in residence there. However, the concept of "live-in" houseparents has been carried through here as well.

By exempting those staff who are classified as Cottage Life Attendant III, we feel that it will be possible to solidify the programatic concept of "live-in houseparents", thus meeting our goal of a home-like environment for the deaf and blind children in residence at our school.

These "live-in" houseparents would be contracted by the Board of Public Education at their current classification level with future pay raises as provided by the Legislature. Their apartment would be part of the contractual arrangement.

I sincerely ask that you give House Bill 763 every favorable consideration for passage. To do so will benefit the children who reside at the Montana School for the Deaf and the Blind.

Bea Fleming

HOUSE BILL 763

FABREGA, sponsor. This bill would take live-in house- [illegible]
its under contract with the state School for the Deaf and
l off the state employee classification system.

FABREGA moved HOUSE BILL 763 DO PASS. The motion carried
imously.

HOUSE BILL 773

FARRIS, sponsor. This bill would establish a long-term care
dsman program.

FARRIS moved HOUSE BILL 773 DO PASS.

MENAHAN: Where does this bill put the ombudsman? In the
rnor's office.
FABREGA: Yes.
FARRIS: For administrative purposes only. This is a free-
ding program, not under any department.

WINSLOW: I have done some research and found that there is
y planned for the budget in SRS. Why is this office, when
s off by itself, going to have more clout than when it is in
It seems to me the office would have more power in SRS.
FARRIS: The purpose in moving it is because SRS does have
ensing authority and the ombudsman might have a problem li-
sing a facility and has to be free of the taint of collusion.
re are problems having it with SRS. For one thing, they are
posed to have privacy.
WINSLOW: Couldn't it be attached to SRS for administrative
poses only. I see them giving away all their power. If you
't apply for the certificate, you don't get your medicaid or
r medicare and there is some power with that. I am wondering
they move it off by themselves, if they will have that
ationship.

. CONNELLY: I question whether we need the retirement home.
. FARRIS: Long-term nursing home facilities are covered by
ensing. But just because they are licensed, doesn't mean
t problems don't come up--and who are they going to ask.
. CONNELLY: They have a local board to regulate them and
t is where they go with their complaints and questions.
[illegible] the local board, what

February 18, 19--

MR. SPEAKER

We, your committee on HUMAN SERVICES

having had under consideration HOUSE Bill No. 763

first reading copy (white)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCEPT LIVE-IN HOUSEPARENTS UNDER CONTRACT WITH THE STATE SCHOOL FOR THE DEAF AND BLIND FROM THE STATE EMPLOYEE CLASSIFICATION SYSTEM; AMENDING SECTION 2-18-103, MCA."

Respectfully report as follows: That HOUSE Bill No. 763

DO PASS

MARJORIE HART Chairman.

STATE PUB. CO.
Helena, Mont.

48th LEGISLATIVE SESSION

COMMITTEE ON STATE ADMINISTRATION

Pg 6 BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
HB 763	3/3	3/8					3/8		
HB 776	3/1	3/8						3/14	
HB 781	3/2	3/10							3/10
HB 786	3/1	3/17					3/17		
HB 832	3/1	3/8					3/8		
HB 846	3/1	3/10						3/23	
HB 847	3/1	3/17					3/18		
HB 873	3/2	3/9						3/11	
HB 887	3/2	3/11						3/11	
HB 899	4/11	4/15					4/15		
HB 668	4/14	4/15					4/15		
HJR 4	4/19	4/20					4/20		
HJR 44	4/19	4/20					4/20		
HJR 46	4/19	4/20					4/20		
HJR 47	4-20	4/21					4/21		

Use a separate sheet for Senate, House Bills, and Resolutions.

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

March 8, 1983

The forty-second meeting of the Senate State Administration Committee was called to order by Senator Pete Story, Chairman, on the 8th day of March 1983 in room 331 at 10:00 a.m. in the State Capitol Building in Helena, Montana.

ROLL CALL: Roll was taken and all were present except Senator Towe who was excused and Senator Gary Lee who was absent.

The meeting was called to hear House Bills 763, 832, 691, 776, 329, and 832.

CONSIDERATION OF HOUSE BILL 763:
"AN ACT TO EXCEPT LIVE-IN HOUSEPARENTS UNDER CONTRACT WITH THE STATE SCHOOL FOR THE DEAF AND BLIND FROM THE STATE EMPLOYEE CLASSIFICATION SYSTEM;..."

REPRESENTIVE JAY FABREGA, District 63, Great Falls, Montana, presented this bill. He stated this bill is to exclude live-in house parents at the Deaf and Blind School of Great Falls from the specifications of the pay plan. They are in a unique position, involving six people. Note page 2, academic and professional personnel and we add live-in house-parents.

JIM MC GARBEY, representing the Montana Federation of Teachers expressed their support for this bill.

BILL DAVIS, Dean of Students for the deaf and blind. He stated the cottages were designed around the house parents, thus the passage of the bill will let them fall in line with the design contract... Presented EXHIBIT 1.

RICHARD GEBO, Assistant Dean of Students for the deaf and blind stated this bill would allow the live-in house-parent with more identity with the professional staff. A better sense of belonging will result in a better productivity.

OPPONENTS: None.
QUESTIONS OF THE COMMITTEE:

It was confirmed that there is no money involved.

SENATOR STORY said some people do not like anyone on the pay plan but if it is to work they need to keep as many on as possible and resist taking people off of it. What would make it impossible to set one grade that would be suitable.

Representive Fabrega stated it is a unique situation and they are

in operation only 9 months out of a year and house parents work 24 hours a day.

BILL DAVIS said nine months out of a year limits how much you can spread out a persons salary. This will explain how long you can spread out a persons salary. Right now they are a grade 9. They are satisfied with the pay but H.B.763 will give the option of spreading the pay through the summer months like they do for the teachers.

Great Falls teachers have their own pay scale.

ACTION ON HOUSE BILL 763
SENATOR MANNING MOVED HOUSE BILL 763 BE CONCURRED IN.
MOTION PASSED.
Senator Manning will carry the bill.

CONSIDERATION OF HOUSE BILL 832:
"AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VIII, SECTION 13, OF THE MONTANA CONSTITUTION TO REMOVE THE RESTRICTION ON INVESTMENT OF PUBLIC FUNDS IN CORPORATE CAPITAL STOCK AND THE REQUIREMENT THAT INVESTMENTS OF CERTAIN EDUCATION FUNDS BEAR A FIXED RATE OF INTEREST."

REPRESENTIVE JAY FABREGA, District 44, Great Falls, Montana, stated that H.B. 832 is a spinoff after the meeting of Initiative 95. The Board of Investments became involved in this. He said that he believes if you take the lines of the Board of Investment that 10% of the amount invested...the corporate stock would be a desireable thing to do. We allow investments of pension funds. Right now the Board of Investment manages 1.4 billion, 800 million funds like the coal tax, and other funds that are not private ownership, that he would call pension funds. One of things that happened...right now the Board of Investments can buy corporate funds, fixed rate. There is no road potential in them but if there is any doubt to the worthiness of corporations you are looking at the super class investment. It would make sense to have a portion in stocks as well. The language may have been the reason for the way people looked at it. He called attention to line 22. He stated that this bill received 81 votes in the House.

PROPONENTS:

Jim Howeth of the Board of Investments stated he supports H.B.832 and would answer any questions.

No other proponents or opponents or questions of the committee.

Closed on H.B.832.

STATE ADMINISTRATION COMMITTEE

48th LEGISLATIVE SESSION -- 1983 Date 3/8/83

NAME	PRESENT	ABSENT	EXCUSED	SENATE SEAT #
SENATOR PETE STORY, Chairman	X			45
SENATOR H. W. HAMMOND, Vice Ch	X			34
SENATOR REED MARBUT	X			44
SENATOR LARRY TVEIT	X			33
SENATOR R. MANNING	X			48
SENATOR LAWRENCE STIMATZ	X			7
SENATOR THOMAS TOWE			X	26
SENATOR GARY LEE		X		11

Each day attach to minutes.

776

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Check One: Oppose
Hugh R Killoker	mont Airport mgrs ass	776	✓	
Ed Buck Boles	Mont Chamber	776	✓ w/ amendment	
Lee Baker	MPA	776	✓	
Edward Bolen	SELF	776	✓	
[illegible]	Dept of Commerce	691	✓	
[illegible]	Retired Teacher	763	✓	
Bill Dow	School for Deaf & Blind	763	✓	
Richard E. Bolton	School for the Deaf & Blind	763	✓	
Tim Howeth	Board of Investment	832	✓	
[illegible]	SELF	776	✓	

(Please leave prepared statement with Secretary)

State Admin. 2/17/83

HB 763

February 17, 1983

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I sincerely ask that you give House Bill 763 every favorable consideration for passage. To do so will benefit the children who reside at the Montana School for the Deaf and the Blind.

Submitted by Bill Davis

MARCH 8 19 83

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration HOUSE Bill No. 763

Febrega (Manning)

Respectfully report as follows: That HOUSE Bill No. 763

BE CONCURRED IN

XXXXXXX

STATE PUB. CO.
Helena, Mont.

SENATOR PETE STORY
Chairman.